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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 4149 OF 2006
IN
INCOME TAX APPEAL (L) NO. 2258 OF 2006

The Commissioner of Income Tax ... Appellant

Versus

Smt. Laduben Patel .... Respondent

Mr. R.K. Sharma for the Appellants.

Mr. K. Gopal with Mr. Jitendra Singh for Respondent.

**CORAM: F.I. REBELLO &**
**R.S.MOHITE, JJ.**
**DATED: DECEMBER 19, 2007**

**P.C.**

. This is a notice of motion for condoning the delay of 370 days in filing the main tax appeal. On perusal of the affidavit in support of the notice of Motion, we find that the dates of the orders is given as 13.4.2005 and 13.5.2005 and the filing of the appeal on 9.11.2006. In our view the explanation whch is given is vague and does not amount to sufficient cause. In view of the same notice of motion is dismissed.

**(R.S.MOHITE, J.)** **(F.I.REBELLO, J.)**